IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.251 OF 2003

Smt.Lalita Rajeev Gole)
Residing at 520, Shaniwar Peth)
Pune-30.).. PETITIONER

Versus

1) The Secretary)
Education Department)
Mantralaya, Mumbai 400 032.)

2) The Director of Education)
Maharashtra State Central Building)
Pune.)

3) The Education Officer (Secondary))
Zilla Parishad, Pune.)

4) New English School)
through its Head Master)
Tilak Road, Pune-30.)

5) Deccan Education Society)
through its Secretary)
Fergusson College, Pune-4.)

6) The State of Maharashtra).. RESPONDENTS

Mr.N.V. Walawalkar, Senior Advocate, with Mr.G.H. Keluskar for the Petitioner.

Mr.P.P. Kakade, Assistant Government Pleader, for Respondent Nos.1 to 3 and 6.

Mr.V.B. Borwankar for Respondent No.5.

CORAM: V.G. PALSHIKAR, Ag. C.J. AND SMT. NISHITA MHATRE, J.

DATED: 14TH FEBRUARY 2006

ORAL JUDGMENT (PER PALSHIKAR, Ag.C.J.)

. By this Petition, the Petitioner seeks a mandamus directing the Respondents to grant permanent

approval to her appointment as Librarian as she fulfils all the required eligibility criteria and qualifications.

2. On 10th September 2003, this Court, while granting Rule, noted all the facts and found that the Petitioner fulfils the required qualifications and, therefore, granted, Rule and directed the Respondents to grant provisional approval to the appointment of the Petitioner to the post of full-time Librarian and pay her salary with effect from 1st June 2000 within eight weeks, subject to the outcome of the Writ Petition.

3. Accordingly, she has been granted provisional approval and is continuing in that post for last atleast three years. Taking into consideration the factual position, which is not disputed that the Petitioner possesses necessary qualifications for the post of Librarian and has acquired the required experience, we see no reason why the Rule be not made absolute. It is accordingly made absolute. The Respondents are directed to treat the provisional approval granted to the Petitioner as regular approval. Petition accordingly disposed of.

(V.G. PALSHIKAR, Ag.C.J.)

(SMT.NISHITA MHATRE, J.)